

10-07-1999



101163760

RECORDATION FORM COVER SHEET  
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- ☒ New
- ☐ Resubmission (Non-Recordation)  
Document ID #
- ☐ Correction of PTO Error  
Reel #  Frame #
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Reel #  Frame #

Conveyance Type

- ☐ Assignment ☐ License
- ☐ Security Agreement ☐ Nunc Pro Tunc Assignment  
Effective Date  
Month Day Year
- ☐ Merger
- ☐ Change of Name
- ☒ Other

Conveying Party

☐ Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

01/22/1999

Formerly

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☒ Corporation ☐ Association
- ☐ Other
- ☒ Citizenship/State of Incorporation/Organization

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- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- ☒ Corporation ☐ Association
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10/06/1999 MTHA11 00000316 75331048

01 FC:481 40.00 DP  
02 FC:482 100.00 DP

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REEL: 001971 FRAME: 0435

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

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**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

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**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

**Trademark Application Number(s) or Registration Number(s)**

☐ Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

75/331,048	74/706,367	

**Registration Number(s)**

1,794,215	1,794,214	1,808,411

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed ☒

Deposit Account ☒

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes ☒

No ☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

JACQUELINE M. O'BRIEN

Name of Person Signing

*Jacqueline M. O'Brien*

Signature

9/30/99

Date Signed

**ACKNOWLEDGMENT OF  
TERMINATION OF COLLATERAL ASSIGNMENT**

This Acknowledgment of Termination of Collateral Assignment is made with reference to:

1. That certain Patent and Trademark Security Agreement, dated as of October 24, 1997, (the "Original Security Agreement") by and between AccuMed International, Inc., as assignor ("Assignor"), and Transamerica Business Credit Corporation, as assignee ("Assignee"), which was recorded in the United States Patent and Trademark Office on November 10, 1997, Reel 8773 at Frame 0859, with respect to the patent items set forth on Exhibit A-1 hereto (the "Original Patents"), and which was recorded in the United States Patents and Trademarks Office on November 7, 1997, Reel 1660 at Frame 0148, with respect to the trademark items set forth on Exhibit B hereto (the "Trademarks"); and

2. That certain Supplement One to Patent and Trademark Security Agreement, dated as of December 24, 1997 (the "Supplemental Security Agreement"; the Original Security Agreement and the Supplemental Security Agreement may be collectively referred to herein as the "Security Agreements") by and between Assignor and Assignee, which was recorded in the United States Patent and Trademark Office on January 23, 1998, Reel 8907 at Frame 0577, with respect to the patent items set forth on Exhibit A-2 hereto (the "Supplemental Patents"; the Original Patents and the Supplemental Patents may be referred to collectively herein as the "Patents").

Assignee hereby acknowledges and agrees that the Security Agreements have been terminated and that all of the rights and interests of Assignee under the Security Agreements have been terminated, including, without limitation, all of the rights and interests of Assignee in and to the Patents and the Trademarks.

Assignee does hereby further authorize and consent that this Acknowledgment of Termination may be recorded and indexed by the Commissioner of Patents and Trademarks.

Dated: January \_\_, 1999

TRANSAMERICA BUSINESS  
CREDIT CORPORATION

By: *W.D. McNery, Jr.*  
Title: *Executive Vice President*

# Patent and Trademark Security Agreement

## Patents and Patent Applications

### PATENTS OWNED BY AccuMed

	<u>Patent No.</u>	<u>Filed/Issued</u>	<u>Expires</u>	<u>Description</u>
US	5,607,860	3/4/97	6/7/15	Dual chamber blood culture bottle
US	5,573,951	11/12/96	6/7/15	Dual chamber blood culture bottle with rotating inlet valve assembly
US	5,652,143	7/29/97	6/7/15	Dual chamber blood culture bottle with break seal
US	5,580,786	12/6/96	6/7/15	Dual chamber blood culture bottle with syringe capture and piston assembly
US	5,232,839	8/3/93	6/14/10	Detecting microbiological growth
US	5,501,959	3/26/96	1/17/9	Antibiotic and cytotoxic drug susceptibility assays using resazurin and poisoning agents
EP	454,784	4/17/96	1/16/10	Apparatus and methods for antimicrobial susceptibility testing of microorganisms
DE	690226602.2	1/9/97	1/17/9	Apparatus and methods for antimicrobial susceptibility testing of microorganisms
US	5,073,857	12/17/91	6/1/9	Method and Apparatus for Cell Analysis
US	5,077,806	12/31/91	6/1/9	Machine Vision Analysis Apparatus

EXHIBIT

A-1

TRADEMARK

REEL: 001971 FRAME: 0438

**PATENTS LICENSED TO AccuMed**

	<u>Patent No.</u>	<u>Filed/Issued</u>	<u>Expires</u>	<u>Description</u>
US	4,435,507	3/6/84	3/6/1	Process and device for preparation of cell samples for cytological tests
US	4,339,101	7/13/82	1/22/0	Device for displacing a member, primarily a stage for optical instruments, in arbitrary directions in one and the same plane
US	3,932,733	1/13/78	Expired	Automatic focusing of an optical system
EP	55746	9/19/84	1/14/1	Cytological specimen preparation

# **SUPPLEMENTAL PATENTS AND PATENT APPLICATIONS**

	<b>Filed/Issued</b>	<b>Patent No.</b>	<b>Description</b>
US	9/15/95	08/528789	Automated specimen handler
US	9/15/95	08/529220	Individualized patient data for screening
CA	9/13/96	2185511	Individualized patient data for screening
DT	9/16/96	19637741.2	Individualized patient data for screening
UK	9/16/96	9619296.8	Individualized patient data for screening
US	9/15/95	08/529188	Simplifying implementation of specified functions
CA	9/13/96	2185501	Simplifying implementation of specified functions
DT	9/16/96	19637755.2	Simplifying implementation of specified functions
UK	9/6/96	96118688.1	Simplifying implementation of specified functions
CA	9/13/96	2185500	Multifunctional control unit
DT	9/16/96	19637756.0	Multifunctional control unit
UK	9/16/96	9619298.4	Multifunctional control unit
US	9/15/95	08/528793	Specimen management system
US	9/15/95	08/528791	Slide cassette
US	1/11/96	08/584287	Machine readable code
US	10/25/96	08/736790	Slide mapping
US	4/23/97	08/845261	Imaging and sampling using autofluorescence
US	9/30/96	08/723828	Slide dotter
US	12/18/96	08/768711	CIP/Multifunctional control unit
PCT	1/30/95	US95/01269	Microbiological culture bottle method of making and using
US	2/4/94	08/576050	Culture bottle
CA	2/4/94	2182511	Culture bottle
CA	1/16/90	2044265-4	Apparatus and methods for antimicrobial susceptibility
JP	1/16/90	503076/90	Apparatus and methods for antimicrobial susceptibility
PCT	1/16/90	US90/00149	Apparatus and methods for antimicrobial susceptibility
US	1/17/98	07/298599	Apparatus and methods for antimicrobial susceptibility
US	12/21/95	08/576050	Microbiological culture bottle method of making and using

**EXHIBIT**

**A-2**

**TRADEMARK**

**REEL: 001971 FRAME: 0440**

FR	1/16/90	90902964.7	Apparatus and methods for antimicrobial susceptibility testing of microorganisms
IT	1/16/90	90902964.7	Apparatus and methods for antimicrobial susceptibility testing of microorganisms
UK	1/16/90	90902964.7	Apparatus and methods for antimicrobial susceptibility testing of microorganisms
SP	1/16/90	90902964.7	Apparatus and methods for antimicrobial susceptibility testing of microorganisms
US		5,518,895	Device for detecting microorganisms using piezoelectric means
EP	4/17/96	90902964.7 0454784	Apparatus and methods for antimicrobial susceptibility
EP	7/16/97	92203183.6	Detecting microbiological growth
IT		92203183.6	Detecting microbiological growth
SP		92203183.6	Detecting microbiological growth
DE		92203183.6	Detecting microbiological growth
FR		92203183.6	Detecting microbiological growth
UK		92203183.6	Detecting microbiological growth
JP	1/30/95	7-520698	Microbiological culture bottle method of making and using
EP	1/30/95	95909409.5	Microbiological culture bottle method of making and using

# Patent and Trademark Security Agreement

## Registered Trademarks and Trademark Applications

Mark	Ser. No. / Registration	Filed / Issued	Expiration
ESP	1808411	11/30/93	11/30/3
EZ DRAW	1794215	9/21/93	9/21/3
EZ VIEW	1794214	9/21/93	9/21/3
RELATIONAL CYTOPATHOLOGY REVIEW GUIDE	75/039,855	9/2/97	
ACCELL (stylized)	75/039,856	1/3/96	
TRACCELL (stylized)	75/151,975	8/19/96	
MACROVISION	75/151,976	8/19/96	
SPECIFIND	75/151,885	8/19/96	
FLUORETONE	75/116,807	9/16/96	
MACCELL	75/170,554	9/23/96	
PATHOS	75/331,048	7/7/97	
ACCELL-SAVANT	75/333,889	7/11/97	
INSIGHT	74/706,367	7/26/95	





**TRANSAMERICA  
BUSINESS CREDIT**

**MEMORANDUM**

Transamerica Business Credit  
Technology Finance Division  
76 Batterson Park Road  
Farmington, CT 06032-2571  
(860) 677-6466  
(860) 677-6766 Fax

To: Charles Hardin, Esq.

Date: January 22, 1999

From: Greg Clark *gjc*

Re: Accumed International

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Enclosed herein are two Acknowledgements of Termination of Collateral Assignment relating to liens on Accumed's intellectual property held by Transamerica Business Credit Corporation ("TBCC"). I deliver these documents to you to be held in escrow pending Accumed's full payment of all obligations owing to TBCC.